

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements and the design of a man in pain appearing in the circular entitled "Facts Everyone Should Know About," enclosed in the combination packages of the articles, were false and misleading since they represented and suggested that the articles would be effective in the treatment of rheumatism, arthritis, backache, swollen joints, lumbago, neuritis, rheumatic pains, and stiff joints; that they would be effective as an analgesic to get at the main cause of so-called rheumatism; and that they would be effective in the treatment of the suffering and discomfort associated with common colds. The articles would not be effective for those purposes.

**DISPOSITION:** March 1, 1946. No claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

**1735. Misbranding of Laken's 9 Drops Capsules and Liquid. U. S. v. 32 Packages of Laken's 9 Drops Capsules and Liquid. Default decree of condemnation and destruction.** (F. D. C. No. 18632. Sample No. 4889-H.)

**LABEL FILED:** On or about December 11, 1945, District of New Jersey.

**ALLEGED SHIPMENT:** On or about October 29, 1945, by Smith, Kline and French, Inc., from Philadelphia, Pa.

**PRODUCT:** 32 packages of *Laken's 9 Drops Capsules and Liquid* at Haddon Heights, N. J. The composition of these products was identical with, and they were misbranded in the same respect as, the products reported in the preceding notice of judgment, No. 1734.

**DISPOSITION:** March 1, 1946. No claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

**1736. Misbranding of Frencos's Pap-Tabs, Papaya Tooth Powder, and Papain Powdered Absolute. U. S. v. 127 Cartons of Frencos's Pap-Tabs, 285 Cartons of Frencos's Papaya Tooth Powder, and 23 Cartons of Frencos's Papain Powdered Absolute. Default decrees of condemnation and destruction.** (F. D. C. Nos. 17653, 17654. Sample Nos. 29949-H to 29951-H, incl.)

**LABELS FILED:** October 15 and 17, 1945, Northern District of California.

**ALLEGED SHIPMENT:** Between the approximate dates of March 23 and August 13, 1945, by the Frenco Laboratories, from Nogales, Ariz.

**PRODUCT:** 127 cartons of *Frencos's Pap-Tabs* and 285 cartons of *Frencos's Papaya Tooth Powder* at Oakland, Calif.; and 23 cartons of *Frencos's Papain Powdered Absolute* at San Francisco, Calif.

Analyses disclosed that the *Pap-Tabs* consisted essentially of bismuth, calcium, and magnesium compounds, including carbonates, papain, and starch; that the *tooth powder* consisted essentially of sodium, calcium, and magnesium carbonates and chlorides, papain, starch, and soap; and that the *Papain Powdered Absolute* consisted essentially of papain.

**NATURE OF CHARGE:** *Pap-Tabs*, misbranding, Section 502 (a), the label statement, "Contains \* \* \* Calcium, Magnesium, Kaolin, Bismuth," was false and misleading since the article contained no kaolin, and it did not contain calcium, magnesium, and bismuth as such but contained compounds of those minerals. In addition, certain statements in the circulars entitled "Frenco Laboratories of Nogales" and "Frenco Pap-Tabs," which were shipped with the article, were false and misleading since they represented and suggested that the article would be effective as a digestant; and that it would be effective in the treatment of digestive disorders, sea-, air-, car-, and train-sickness, and alcoholism. The article would not be effective for such purposes. Further misbranding, Section 502 (e) (2), the article failed to bear the common, or usual name of each active ingredient.

*Tooth powder*, misbranding, Section 502 (a), certain statements on the carton and in the circular entitled "Frenco Laboratories of Nogales" were false and misleading since they represented and suggested that the article would be effective in digesting foreign materials present in the mouth; and that it would be effective in the treatment of pyorrhea and sore gums. The article would not be effective for such purposes.

*Papain Powdered Absolute*, misbranding, Section 502 (a), the following statements on the carton containing the article were false and misleading since papain is not capable of accomplishing the results stated and implied, and it is not a rich source of protein and vitamins: "Papain is a food that